

## **The decision of the administrative authority as described in the Administrative Procedure Code and in the Judicial Administrative Code**

### **Abstract**

This diploma thesis concerns the difference in the definition of the decision of the administrative authority in the Administrative Procedure Code and in the Judicial Administrative Code. Its aim is, on the one hand, to describe the features of the concept of the decision of administrative authority according to the Administrative Procedure Code and according to the Judicial Administrative Code. on the other hand to define these concepts from a practical point of view and provide insight into the case law definition of these institutes. The aim is to provide a certain orientation in the issue and point out the pitfalls that may arise in the conflict of theoretical and practical definition.

The diploma thesis is focused on the summary of the theoretical concept of the decision of the administrative authority and on the positive legal definition of this institute, on the other hand on the definition of the decision of the administrative body taking into account selected case law. At the end of the chapters dealing with selected case law, the author tries to synthesize the knowledge gained during the study of selected case law and thus to define the features of the decision of the administrative body as it is understood by this case law. It thus provides a partial summary of that case-law and seeks to implement a definition which is in a certain opposition to a legal definition.

The work was, as indicated above, processed in the first part by a descriptive method, where the author tried to define the theoretical basis and basic features of administrative decision, using the analytical method, then by synthesis of acquired knowledge the author sought to clarify the practical and case law perspective on the issue.

The result is a comprehensive work, which on the one hand explains the theoretical foundations and basic features of administrative decisions, on the other hand in recent case law, taking into account current developments in certain issues reflects the practical concept of administrative decisions.

In conclusion. author argues over the issue of choice of action, which is a very important issue in terms of defense against decisions of administrative authorities and also reflects some recent views and problems that have emerged and are emerging in this area.

**Key words: administrative authority – the decision – Administrative Procedure Code – Judicial Administrative Code**